

SENATE RECORD VOTE ANALYSIS

105th Congress
1st Session

Vote No. 190

July 22, 1997, 10:28 am
Page S-7790 Temp. Record

TREASURY APPROPRIATIONS/Federal Employee Abortion Fringe Benefit

SUBJECT: Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1998 . . . S. 1023.
Campbell (for DeWine) amendment No. 936.

ACTION: AMENDMENT AGREED TO, 54-45

SYNOPSIS: As reported, S. 1023, the Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1998, will provide \$25.207 billion in new budget authority (BA) for the Department of the Treasury, Postal Service, Executive Office of the President, and various independent agencies. This amount is \$1.105 billion more than provided in fiscal year (FY) 1997, and is \$455.9 million less than requested.

The Campbell (for DeWine) amendment would prohibit using funds from this Act to pay for abortions as a fringe benefit under Federal Employee Health Benefit (FEHB) insurance policies except when necessary to save the life of a mother, or when a pregnancy resulted from rape or incest.

Those favoring the amendment contended:

The issue raised by this amendment is very narrowly drawn. We are not debating the Constitution; we are not debating the legality of abortion; we are not in any way limiting the current situation which allows for abortion-on-demand, for any reason at any stage right up until the moment of birth. What we are debating is whether the American taxpayers have to pay for abortions as a fringe benefit to Federal employees as part of their health insurance policies, and, if so, under what circumstances.

Abortion is not just another medical procedure. Those Senators who describe it thusly are not being constructive. It is the most divisive issue in America this century. On one side, we have those Americans, including ourselves, who view preborn children as fully human, though small and defenseless, with an inalienable right to life that cannot be morally or logically denied. We know that from the moment of conception, the unique genetic blueprint of each individual is set. We know that the heartbeat can be monitored

(See other side)

YEAS (54)			NAYS (45)			NOT VOTING (1)	
Republicans (48 or 87%)		Democrats (6 or 14%)	Republicans (7 or 13%)	Democrats (38 or 86%)		Republicans (0)	Democrats (1)
Abraham	Helms	Biden	Campbell	Akaka	Kennedy		Rockefeller- ²
Allard	Hutchinson	Breaux	Chafee	Baucus	Kerrey		
Ashcroft	Hutchison	Conrad	Collins	Bingaman	Kerry		
Bennett	Inhofe	Dorgan	Jeffords	Boxer	Kohl		
Bond	Kempthorne	Ford	Snowe	Bryan	Landrieu		
Brownback	Kyl	Reid	Specter	Bumpers	Lautenberg		
Burns	Lott		Stevens	Byrd	Leahy		
Coats	Lugar			Cleland	Levin		
Cochran	Mack			Daschle	Lieberman		
Coverdell	McCain			Dodd	Mikulski		
Craig	McConnell			Durbin	Moseley-Braun		
D'Amato	Murkowski			Feingold	Moynihan		
DeWine	Nickles			Feinstein	Murray		
Domenici	Roberts			Glenn	Reed		
Enzi	Roth			Graham	Robb		
Faircloth	Santorum			Harkin	Sarbanes		
Frist	Sessions			Hollings	Torricelli		
Gorton	Shelby			Inouye	Wellstone		
Gramm	Smith, Bob			Johnson	Wyden		
Grams	Smith, Gordon						
Grassley	Thomas						
Gregg	Thompson						
Hagel	Thurmond						
Hatch	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

starting 21 days after conception; we know that brain waves can be measured by 40 days. As a matter not of faith, not of opinion, but of medical fact, we know that each person's life begins at conception. For us, a preborn baby is a baby, not a choice. On the other side, we have those Americans who argue that humanity is not reached until a certain level of development, however imprecisely defined, is reached. Those Americans believe that it should be left to each woman to determine for herself at what point the right to life begins. At the same time, though, the fact that ardently pro-choice groups such as Planned Parenthood say that they want abortion to be "safe, legal, and rare" shows that even they understand that abortion is not just another medical procedure--the emotional and spiritual consequences of ending a life, even if one does not accept that the life is sufficiently developed to be given constitutional protection, are often severe. The starting point of this debate, therefore, should not be from the false premise that we are talking about just another medical operation.

Given the unique nature of this operation, the question before the Senate is whether it should be funded by the Federal Government as though it were any other legal operation. In poll after poll for the past 2 decades the overwhelming majority of Americans have said no. In the debate on President Clinton's proposal to socialize health care, for example, three-fourths of all Americans said that they did not think abortion coverage should be included as part of any national health care plan. Americans, whether pro-life, pro-choice, or somewhere in between have too many reservations themselves, and have too much respect for the views of those who oppose abortion, to support public funding of it. The controlling court case for this amendment is not *Roe v. Wade*, which discovered the right to an abortion written between the lines of the Constitution, but *Harris v. McRae* (1990), which held that the Federal Government does not have to fund abortion. Some insurance companies pay for abortions; others do not. Employers can pick or design insurance policies with or without abortion coverage. In the case of Federal employees, the employers are the American people, and the American people do not want their tax dollars used to pay for abortion-on-demand as an employee fringe benefit. They pay an average of 72 percent of the costs of Federal employees' health insurance policies, and they do not want that money being used to pay for abortion coverage for any reason and at any stage of pregnancy.

Since 1984 (except in 1993 and 1994 when President Clinton managed to require Federal Government abortion insurance) the United States' policy has been to prohibit using taxpayer funds to purchase abortion coverage. During the 2 years of the Clinton policy, people who were unalterably opposed to abortion were forced to pay for an estimated 17,000 abortions each year for any reason. If Senators do not approve the DeWine amendment, the American people will again be forced to pay for such abortions. We urge our colleagues to respect the wishes of the American people by voting for the DeWine amendment.

Those opposing the motion to table contended:

Abortion is a legal medical procedure. More than 20 years ago, a courageous Supreme Court announced that the Constitution guarantees a woman the right to choose. Some of our colleagues have not yet accepted that decision. They are determined to roll back the clock on women's rights by gradually gutting, watering down, and stripping away the right to procure an abortion. The DeWine amendment would significantly harm the right of 1.2 million Federal employees to choose. It would forbid Federal employee health benefit plans from offering abortion services coverage. Federal health insurance is not something that is given--it is earned. If a woman chooses a health care plan that pays for abortions, she is choosing that plan with her money, not the Federal Government's. She is choosing that plan in the same way that women in the private sector are able to choose health care plans. If those health plans are available to private sector employees they should be available to public sector employees as well. Public-sector employees should not be treated as second-class citizens. If this amendment is not defeated, then Federal employees will either have to purchase additional abortion coverage on their own or will have to pay for their abortions out of their own pockets. The average abortion cost is not a minor cost for all Federal employees. Many single women who are employed by the Federal Government are near the poverty level. Further, some abortions are more expensive--if there are medical complications, or if the woman is in her second or third trimester, the costs are much higher. This issue is a personal issue for women on which the government should not legislate. We do not think that male Senators would ever give serious consideration to restricting men's access to any legal medical procedure. They should not treat women differently. We urge our colleagues to defeat the DeWine amendment.